

Report Date: May 31, 2007

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 01 2007

JAMES R. LARSEN, CLERK
RICHLAND, WASHINGTON DEPUTY

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Bucky Gene York

Case Number: 2:03CR02172-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 6/10/2005

Type of Supervision: Supervised Release

Original Offense: Burglary of U.S. Post Office,
18 U.S.C. § 2115

Date Supervision Commenced: 10/6/2006

Theft of Property Used by Postal Services,
18 U.S.C. § 1707

Original Sentence: Prison - 40 Months;
TSR - 36 Months

Date Supervision Expires: 10/5/2009

PETITIONING THE COURT

To modify the conditions of supervision as follows:

24. You shall complete 40 hours of community service work at the rate of not less than 20 hours per month, at a not-for-profit site approved in advance by the supervising probation officer. The hours are to be completed in full no later than September 1, 2007.

CAUSE

On May 22, 2007, Mr. York reported to Merit Resource Services (Merit) and submitted a urine sample which tested presumptive positive for methamphetamine. On May 23, 2007, the defendant contacted this officer and admitted to using methamphetamine on or about May 20, 2007, while visiting family members in Zillah, Washington.

In February 2007, Mr. York completed the Violator Intensive Relapse Program while confined at the Benton County Jail. In April 2007, he completed a 21-day intensive inpatient treatment program at James Oldham Treatment Center. Although he has successfully completed two treatment programs, he continues to struggle with chemical dependency issues as evidenced by his recent alleged violation. Mr. York is currently participating in Central Washington Comprehensive Mental Health's Mentally Ill Chemically Affected (MICA) program, which is a dual diagnosis treatment program. The defendant's MICA treatment counselor has increased his treatment sessions as a result of his relapse.

As a supervision corrective action, the defendant has agreed to have his conditions of supervision modified to include special condition number 24 as noted above. Enclosed is a waiver signed by the defendant agreeing to the above modification of his conditions of supervised release.

Prob 12B

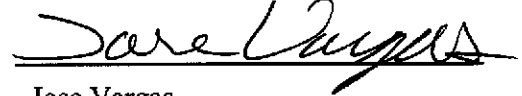
Re: York, Bucky Gene

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Respectfully submitted,

by



Jose Vargas

U.S. Probation Officer

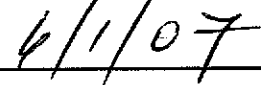
Date: May 31, 2007

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer



Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

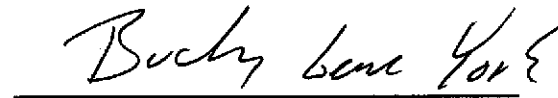
To modify the conditions of supervision as follows:

24. You shall complete 40 hours of community service work at the rate of not less than 20 hours per month, at a not-for-profit site approved in advance by the supervising probation officer. The hours are to be completed in full no later than September 1, 2007.

Witness:


Jose Vargas
U.S. Probation Officer

Signed:


Bucky Gene York
Probationer or Supervised Releasee

May 31, 2007

Date